

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Chad Evans

Docket No. 5:09-CR-256-1BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Chad Evans, who, upon an earlier plea of guilty to Manufacturing Counterfeit Currency, in violation of 18 U.S.C. § 471, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on February 25, 2010, to the custody of the Bureau of Prisons for a term of 51 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. While on supervised release, the defendant shall not take part in any gang activity or associate with any gang member.

Chad Evans was released from custody on June 19, 2013, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On January 31, 2014, the defendant submitted a random drug screen that tested positive for marijuana. The defendant denied using marijuana; however, the results of the confirmation test by the laboratory yielded the same result. When the defendant reported to the probation office on February 28, 2014, he submitted another drug screen that was positive for marijuana. At that time, the defendant stated this test was the result of residual marijuana remaining in his system from the use that took place prior to the previous test. The defendant then said he had been under a lot of stress as a result of personal problems and used marijuana in January. Additionally, on February 24, 2014, the defendant was charged with No Operator's License (14CR711658) and Possession of Drug Paraphernalia (14CR711659) in Wake County, North Carolina. The defendant stated he was driving his girlfriend's car when he was stopped by the police for making an illegal right turn at a red light. He has since obtained a valid North Carolina driver's license. Following the traffic stop, he consented to a search of the vehicle, at which time a digital scale was discovered in the vehicle.

Rather than return to court for revocation proceedings, it is recommended two conditions be added to the defendant's supervised release. First, it is recommended a condition requiring the defendant participate in substance abuse treatment as directed, to include urinalysis testing, be added in order to address any potential substance abuse issues the defendant might have. Second, it is recommended the defendant participate in a cognitive behavioral program at the direction of the probation office in an effort to allow the defendant to learn more about his thought patterns, how to set realistic goals, and how to achieve them. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: February 28, 2014

ORDER OF COURT

Considered and ordered this 2 day of March, 2014, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge